



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION VM

999 18th STREET - SUITE 500  
DENVER, COLORADO 80202-2405

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-6

SEP 22 1989

Date: 10-3-89

Ref: 8HWM-SR

cc: T. Carlson  
T. Plessinger,  
R. Sanders  
I. Stewart  
V. Tunc  
J. Uhler

Mr. Dee J. Williamson  
Monticello Project Manager  
Department of Energy  
Grand Junction Projects Office  
Post Office Box 2567  
Grand Junction, Colorado 81502-2567

from Brian Mathis

Re: Applicability of RCRA  
to the Monticello Vicinity  
Properties

Dear Mr. Williamson:

The Environmental Protection Agency (EPA), after consultation with the State of Utah, has concluded that RCRA is neither applicable nor relevant and appropriate to the cleanup of the Monticello Vicinity Properties.

This determination is based on two regulations: (1) RCRA 40 CFR 261.4(b)(7) and (2) the Uranium Mill Tailings Radiation Control Act (UMTRCA) 40 CFR Part 192, Subpart A-C.

(1) RCRA 40 CFR 261.4(b)(7) exempts radioactive waste materials from regulation under RCRA. Thus, the only determination is whether RCRA might be "relevant and appropriate" at the Monticello Vicinity Properties. EPA has determined that the requirements of UMTRCA more adequately address the situation at the Vicinity Properties than RCRA, for the reasons stated in your letter of July 21, 1989.

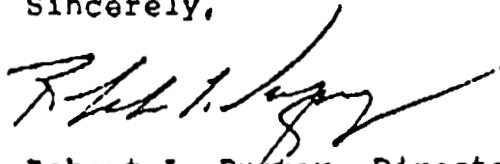
(2) UMTRCA 40 CFR Part 192, Subparts A-C establish the appropriate technical standards for the cleanup and disposal of uranium mill tailings at inactive processing sites and related vicinity properties. These regulations are not applicable, since the regulations by statute can only apply to certain designated sites; however, UMTRCA is relevant and appropriate to the Monticello site.

1 of 2

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If you have any questions regarding this determination,  
please contact Ms. Vera Moritz at FTS 564-1536.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert L. Duprey", with a long, sweeping horizontal stroke extending to the right.

Robert L. Duprey, Director  
Hazardous Waste Management Division

cc. Brent Bradford, Utah Department of Health